**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

NOTICE OF MOTION NO. 2374 OF 2005

IN

SUIT NO. 2228 OF 2005

Epitome Entertainment Pvt. Lt., .. Plaintiffs.

vs.

Indus Wam Syndicate & .. Defendant.

Mr. Thakore i/by Thakore & Jariwala & Associates for plaintiffs.

Mr. B. Saraf for defendant no. 1.

Mr. A.M. Saraogi for defendant no. 2.

**CORAM : S.U.KAMDAR, J.**

**DATE : 26th August, 2005.**

P.C.

. By consent of the parties, motion is taken on board for the purpose of hearing and final disposal.

2. By consent of the parties, the following order is passed.

3. The learned advocate appearing for the 2nd defendant makes a statement that he will deposit a

sum of Rs. 5 lacs within a period of two weeks from today in the court towards the suit claim. The said amount to be invested in a fixed deposit of any nationalised bank by the Prothonotary & Senior Master, High Court, Bombay, initially for a period of one year and thereafter renew the same from time to time till further orders. Till that time no further prints are to be released by defendant no. 2. In so far as the 1st defendant is concerned, pending the hearing and final disposal of the suit, the defendant no. 1 shall not alienate, encumber or create any third party rights or exploit the film in video film or VCD video is concerned. Motion disposed of accordingly.

4. In so far as hearing of the suit is concerned, hearing is expedited. Parties are at liberty to move the Court as soon as the written statement is filed. Written statement to be filed within two weeks from today. Inspection and discovery immediately thereafter within two weeks thereafter. The learned counsel for the defendant no. 1 and the plaintiff both state that neither the plaintiff has delivered the film for the purpose of video copy rights to the defendant no. 1 and the defendant no. 1 confirms that he has not received any delivery of any such films.

5. Parties to act on an ordinary copy duly

authenticated by the Private Secretary of this Court.